

ASSIGNED**Nº 23577**

AMENDED

APPLICATION FOR PERMIT**TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

JAN 3 1967

Date of filing in State Engineer's Office.....

Returned to applicant for correction..... JAN 17 1967

Corrected application filed..... FEB 6 1967

Map filed..... FEB 6 1967

The applicant..... Mr. Jesse Gardner

of % Tonopah Stage, County of White Pine,

State of Nevada, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is..... Underground

Name of stream, lake or other source.

2. The amount of water applied for is..... 2 c. f. s. second-feet

One second-foot equals 448.83 gals. per min.

(a). If stored in reservoir give number of acre-feet..... acre-feet

3. The water to be used for..... Irrigation and Domestic

Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated)..... 120 Acres

(b) Stockwater (state number and kinds of animals to be watered)

(c) Other use (describe fully under "No. 11. Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 6, T. 13N.,

R. 60E., M.D.B.&M. or at a point from which the NE Corner of said

Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

Sec. 6 bears N. 34° 49'E. 1342 feet distant

it should be stated.

6. Place of use: NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

Describe by legal subdivision, if on unsurveyed land it should be so stated.

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 5; and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8 all in T. 13 N., R. 60 E.

M.D.B.&M.

7. Use will begin about..... January 1st and end about..... December 31st of each year.
Month Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) It is proposed to drill, develop, case and equip a 16" irrigation well, initially drilled to State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. 250 feet deep.

9. Estimated cost of works...Drilling \$4290...including casing)...pump \$3000
10. Estimated time required to construct works.....3 years
11. Remarks.....This will be supplemental water to the natural flow of
Ellison Creek

Applicant Mr. Jesse Gardner

By S/ Robert W. Millard

Compared dh/dp hs/jw

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening and an air line for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.0 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before December 12, 1967

Proof of commencement of work shall be filed before January 12, 1968

Work must be prosecuted with reasonable diligence and be completed on or before December 12, 1968

Proof of completion of work shall be filed before January 12, 1969

Application of water to beneficial use shall be made on or before December 12, 1970

Proof of the application of water to beneficial use shall be filed on or before January 12, 1971

Map in support of proof of beneficial use shall be filed on or before January 12, 1971

Commencement of work filed Jan. 22, 1968 IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD, Acting State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 12th day of June,

Completion of work filed March 28, 1968

Proof of beneficial use filed SEP 29, 1969

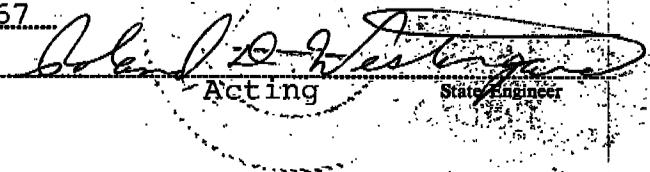
Cultural map filed Sep. 29, 1969

Certificate No. 7251 Issued 1-5-70

Recorded 1-32-70 Bk. 301 Page 219

White Pine County Recorder

A.D. 1967


Roland D. Westergard
State Engineer